

REMARKS

Claims 1-9, 11-19, 21-36, 38-44, 46-52, 54-59 and 61-78 are pending in the application. Claims 30, 31, 39, 44, 47, 54-59, 61-69, 73 and 77 have been amended. Claims 10, 20, 37, 45, 53 and 60 have been previously canceled without prejudice or disclaimer. Reconsideration of this application is respectfully requested.

It is noted with appreciation that the Office Action has indicated that claims 1-9, 11-19, 21-36, 38-44, 46-52, 54-59 and 61-78 contain allowable subject matter subject to the objections and the rejection under the second paragraph of 35 U.S.C. 112, which are discussed below.

The Examiner has objected to claims 30, 55-59, 61-69, 73 and 77 because “computer readable” should be inserted at line 1 before “storage medium”. Claims 30, 55-59, 61-69, 73 and 77 have been so amended. It is submitted that the objection to claims 30, 55-59, 61-69, 73 and 77 has been obviated by the amendment and should be withdrawn.

The Examiner has also objected to the hyphens before “cell usage” in claims 2, 32, 40, 48 and 55, before “usage” in claim 62 and after “transistor” in claim 30. These hyphens were not part of these claims, but rather were deletions of character spaces. Accordingly, there is no need to amend claims 2, 30, 32, 40, 48, 55 and 62. It is submitted that the objection is moot and should be withdrawn.

The Office Action rejects claims 31-36, 38-44, 46-52, 54-59, 61 and 74-77 under the second paragraph of 35 U.S.C. 112 as indefinite. With respect to independent claims 31, 39, 47 and 54, the Examiner contends that the functional relationship between “design metric” and the rest of the claim is unclear. The Examiner has suggested adding at the end of claim 31, for example, “the design metric being used in said step of optimizing”. Claim 31 has been so amended and claims 39, 47 and 54 have been similarly amended.

With respect to claims 44 and 59, the Examiner contends that "criteria" should be changed to "said design metric". Claims 44 and 59 have been so amended. Further with respect to claim 44, the Examiner has objected to "a combination thereof". Claim 44 has been further amended by deleting "a combination thereof" and by bringing it into conformance with the language of claim 44.

For the reason set forth above, it is submitted that the rejection of claims 31-36, 38-44, 46-52, 54-59, 61 and 74-77 under the second paragraph of 35 U.S.C. 112 is obviated by the amendment and should be withdrawn.

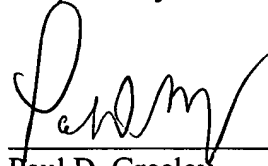
For the reasons set forth above, it is submitted that the objections to the claims and the rejection of the claims under the second paragraph of 35 U.S.C. 112 is obviated by the amendment and that all of the claims 1-9, 11-19, 21-36, 38-44, 46-52, 54-59 and 61-78 are in condition for allowance.

The newly cited U.S. Patent No. 7,003,738 has been reviewed and is believed to be inapplicable to the pending claims.

It is respectfully requested for the reasons set forth above that the objection to the claims be withdrawn, that the rejection under 35 U.S.C. 112 be withdrawn, that claims 1-9, 11-19, 21-36, 38-44, 46-52, 54-59 and 61-78 be allowed and that this application be passed to issue.

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Respectfully Submitted,



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